

AMENDMENTS TO THE DRAWINGS

The attached Replacement Sheets includes changes to Figures 7-12 and 14-16 (Exhibit A). Reference number 34 has been replaced with reference number 37 in Figure 7, reference number 38 has been added to Figures 8-12 and 14-16, and one set of reference numbers 40 and 41 has been removed from Figure 12. Please replace the original drawing sheets with the Replacements Sheets attached hereto. No new matter has been added to the application. Approval of the drawings sheets is respectfully requested.

REMARKS

After entry of this amendment, the pending claim are claims 1-45 of which claims 1 and 39-43 are in independent form. Claims 8, 11-14 and 19-25 have been objected to. Claims 1, 3, 4, 7, 8, 12, 14, 19-22, 24 and 27-37 have been amended. Claims 5, 6, 9 and 10 are currently withdrawn. New claims 39-45 have been added.

Claim to Priority

The Examiner acknowledged Applicants' claim to priority to PCT/DK01/00529 filed August 8, 2001 ("the '529 application"). The Examiner, however, stated that the Applicants had not filed a certified copy of the '529 application. Applicants filed a Submission of Certified Priority Document ("Submission") on May 18, 2004, attaching a certified copy of the '529 application (see Exhibit B). The U.S. Patent & Trademark Office acknowledged receipt of the certified copy of the '529 application by stamping and returning a postcard accompanying the Submission (see Exhibit C). Accordingly, an acknowledgement of formal receipt is in order.

Objection to Drawings

The Examiner objected to the drawings because (1) in Fig. 7, lowermost numeral 34 should be 37; (2) in Figs. 8-16, reference numeral 38 was not shown; and (3) in Fig. 12, there were two sets of reference numerals 40 and 41. The Examiner requested corrected drawing sheets. Reference number 34 has been replaced with reference number 37 in Figure 7, reference number 38 has been added to Figures 8-12 and 14-16, and one set of reference numbers 40 and 41 has been removed from Figure 12. Replacement Sheets are enclosed herewith (see Exhibit A). Applicants respectfully request that the objections to the drawings be withdrawn.

Objection to Claims

The Examiner objected to claims 1, 3, 4, 7, 8, 12, 14, 19-22, 24, 27 and 28-38 for various informalities. Applicants have amended claims 1, 3, 4, 7, 8, 12, 14, 19-22, 24 and 27-38 to address these informalities. With regard to claim 31, the second coupling having opened and closed positions finds support in the specification at least at Figs. 9-11 and 13, 14, 18 and 19;

p. 13, lines 5-11; p. 14, lines 15-18; p. 14, line 25 to p. 15, line 2; p. 16, lines 3-6. The amendments to the claims were made for reasons unrelated to patentability and support for the amendments is found in the specification. No new matter has been added. Applicants respectfully request that the objections of the claims be withdrawn.

Rejection Under 35 U.S.C. §102(b)

Claims 1-4, 7, 15, 17 and 26-38 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,785,695 to Sato et al. ("Sato").

Sato describes a body waste receiving appliance having an adhesive plate 1 having a first flange 4 and a third flange 17 inside the first flange 4, an outer pouch 10 having a second flange 7, and an inner pouch 15 having a fourth flange 19 which fits within the second flange 7 (see the Sato '695 patent, Figure 5; col. 7, lines 8-10; col. 8, line 55 - col. 9, line 4). In Sato, a fitting portion 20 of flange 19 fits into fitting portion 18 of flange 17 and a fitting portion 9 of flange 7 fits into a fitting portion 6 of flange 4 (see the Sato '695 patent, Figure 5; col. 7, lines 3-8; col. 8, line 55 - col. 9, line 4).

The present invention is fundamentally different from Sato in that at least a portion of the first disc 40 may be positioned over (*i.e.*, may overlap) at least a portion of the second disc 41 (see Figs. 8-16). If a portion of the flange 7 of Sato overlapped a portion of the flange 19 or vice versa, the adhesive plate 1 of Figure 5 would not properly engage one or both flanges 7, 19.

Applicants have amended claim 1 to more clearly define Applicants' invention. Claim 1 now recites "wherein at least a portion of the first disc overlaps at least a portion of the second disc." Applicants respectfully submit that the Sato '695 patent does not disclose, teach or suggest all the limitations of claim 1. Specifically, there is no disclosure, teaching or suggestion in the Sato '695 patent of a portion of a first disc overlapping a portion of a second disc. As all the features recited in independent claim 1, as amended, are not disclosed, taught or suggested by the Sato '695 patent, Applicants submit that this claim is allowable over the Sato '695 patent. Dependent claims 2-4, 7, 15, 17 and 26-38 are dependent from independent claim 1 and are allowable for at least the same reason as discussed above in connection with claim 1.

Rejection Under 35 U.S.C. §103(a)

Claims 16 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sato. Claims 16 and 18 are dependent from independent claim 1 and are allowable for at least the same reason as discussed above in connection with claim 1.

New Claims 40-42

Claims 8, 11-14 and 19-25 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claims and any intervening claims. New claim 40 is claim 11 written in independent form. New claim 41 is claim 19 written in independent form. New claim 42 is claim 25 written in independent form. No new matter has been added. New claims 40-42 are readable upon at least Species II.

New Claim 39 and 43-45

Claims 39 and 43-45 have been added to more clearly define Applicants' invention. No new matter has been added. New claims 39 and 43-45 are readable upon at least Species II.

Claim 39 recites "a pouch, wherein at least a portion of the pouch is positioned between the first and second disc." Claim 43 recites "wherein the first and second disc each have portions which extend radially outward from the first and second coupling collars, respectively."

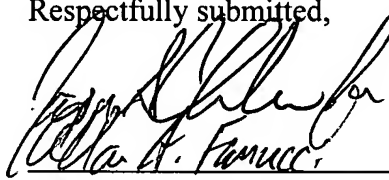
Applicants respectfully submit that the Sato '695 patent does not disclose, teach or suggest all the limitations of claims 39 and 43. Specifically, there is no disclosure, teaching or suggestion in the Sato '695 patent of a portion of a pouch positioned between a first and second disc, or first and second discs having portions which extend radially outward from the first or second coupling collar. As all the features recited in independent claims 39 and 43 are not disclosed, taught or suggested by the Sato '695 patent, Applicants submit that these claims are allowable over the Sato '695 patent.

Claims 44 and 45 are dependent from independent claim 43 and are allowable for at least the same reason as discussed above in connection with claim 43.

In light of Applicants' amendments and remarks, a notice of allowance is respectfully requested. Should the Examiner have any questions or concerns regarding the amendments, remarks or the above-identified application, then a telephonic interview with the undersigned is respectfully requested to discuss any such questions or concerns and to accelerate the allowance of the above-identified application.

No fee is believed due for this submission. However, should any fee be required, please charge all such fees to Winston & Strawn LLP Deposition Account No. 50-1814.

Respectfully submitted,

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